

Minutes of Regular Board Meeting held by the Town Board of the Town of Riverhead in the Riverhead Town Hall, Howell Avenue, Riverhead, New York, on Tuesday, October 5, 1993, at 7:00 p.m.

**Present:**

Joseph F. Janoski,	Supervisor
Victor Prusinowski,	Councilman
James Stark,	Councilman
Frank Creighton,	Councilman
Harriet Gilliam,	Councilwoman

**Also Present:**

Barbara Grattan,	Town Clerk
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**Absent:**

Patricia Moore,	Town Attorney
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Supervisor Janoski called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

Supervisor Janoski: "May I have a motion to approve the minutes of the Regular Town Board Meeting of September 21?"

Councilman Stark: "So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 Yes.

Supervisor Janoski: Reports.

**REPORTS:**

Manorville Fire Dist. 1994 Budget

Riverhead Fire Dist. 1994 Budget

Building Dept.

Monthly Report for September of 1993

Town Clerk

Monthly Report for September  
Total amount collected was \$10,689.27

Open Bid Report

East Main Street parking area improvements, 5 bids were received and they were opened on September 27, 1993

**APPLICATIONS:**

Site Plan

REJ Corp., Riverhead Building Supply, warehouse addition, Mill Road, Riverhead

Open Air Permit

Warners Nursery, Arts & Crafts Festival on Sunday, October 17th, from 10:00 a.m. to 4:00 p.m.

**CORRESPONDENCE:**

Dean B. Terchunian

Requests Bear Estates form a homeowners association

Riverhead Chamber of Commerce

Thanking Riverhead Police Chief Joseph S. Grattan and all police officers for the efficient and smooth control and order at its special events, especially the Antique Show held this summer

Riverhead Chamber of Commerce

Thanking Mr. Danny Ruthinowski and the Riverhead Buildings and Grounds Department for their service to the entire Town of Riverhead

County of Suffolk

A local determination of the proposed amendment to Section 108.56 of the Zoning Ordinance of the Town of Riverhead, the Public Hearing which was held October 5, 1993

County of Suffolk

A Notice of Enactment regarding amending Zoning Ordinance Sections 330-5, 10B (3) and 143 Town of Southampton, Local Law No. 30, 1993

New York State Dept. of Transportation

Extending the 45 mile per hour speed zone on Route 25A easterly to RM 1431, 1000 feet east of Sound Avenue

NYS Dept. of Transportation

A letter to Councilwoman Harriet Gilliam regarding development project on Route 25A and amending speed limit to establish a 45 mile per hour speed limit

Town of Southampton

A notice of adoption of Local Law No. 30, Chapter 330, Zoning Nursery Schools

Town of Southampton

Four notices of Public Hearings

A Local Law amending Chapter 111-18-A, Jet Skis

A Local Law amending Chapter 312-79A, Traffic Violations and Penalties

A Local Law amending Chapter 330 Zoning Communication Towers and a Local Law establishing a new Chapter 286 Street Address Numbers

Supervisor Janoski: "Thank you. Is everybody ready? Okay, I'd like to take out of order, Resolution No. 677."

Councilwoman Gilliam: "Resolution #677 appoints Police Sergeant in the name of Dennis J. Fagan to the Riverhead Police Department. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Musinowski, yes; Janoski, yes. Resolution is adopted.

Supervisor Janoski: "If Dennis and Mrs. Fagan would join us up here along with the other members of the Department."

Dennis Fagan: "I, Dennis Fagan, do solemnly swear to uphold the constitution of the United States, the constitution of the State of New York, the laws and ordinances of the Town of Riverhead, the rules and regulations of the Riverhead Police Department to the best of my ability, so help my God."

Police Chief Grattan: "Folks, at this time, Dennis' brother is retired from the New York City Police Department as a Detective and is going to present him with his badge."

Sgt. Dennis Fagan: "I'd like to take one second, if I may. I'd like to thank the Supervisor, the Town Board, for this opportunity to serve the Town in this capacity. I plan on serving the Town as I have the last 12 years to the best of my ability and look forward to doing that now. Thank you."

Police Chief Grattan: "Folks, we have two awards to give out this evening to two members of the force, and I'll read as follows:

Officers George Fredricks and Richard Smith are awarded official police recognition for bravery at the scene of a structure fire on May 23rd, in that shortly after midnight on that night, the Police Department received a call of a building fire on East Main Street in Riverhead. Upon arrival at the scene, the officers were advised by several witnesses that a woman and her seven year old child were

trapped within the building. The fire had intensified to the point where the flames were coming out the second story windows. While the Fire Department was arriving and set up their equipment, Officer Smith and Officer Fredricks, without regard for their personal safety, climbed the fire escape which was in somewhat state of disrepair, they climbed to the third floor and located the two subjects as the Riverhead Fire Department was attempting to extinguish the blaze.

It was through their efforts that both the mother and the child were rescued and brought to safety.

For their quick and decisive actions and their bravery, they have been awarded the Bravery Medal to be presented by the Town Board this evening. And I am authorizing them to proudly display the bravery bar above their police shield while working in uniform.

Congratulations."

Supervisor Janoski: "We'll just wait a moment until family and friends leave."

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P U B L I C H E A R I N G O P E N E D: 7:13 p.m.

Supervisor Janoski: "Let the record show that the hour of 7:13 p.m. has arrived. The Town Clerk will please read the Notice of Public Hearing."

Barbara Grattan: "I have affidavits of publishing and posting of a Public Hearing to be held at Riverhead Town Hall at 7:10 p.m. on Tuesday, October 5, 1993, to hear all interested persons who wish to be heard regarding the consideration of the adoption of the amendment to Chapter 108-56 of the Riverhead Town Code. Section 108-56.1 Civil penalty for signs installed without a sign permit."

Supervisor Janoski: "As the Town grows and as businesses locate into the community, we have found that most businesses will comply with the provisions of the sign code of the Town.

However, there are on occasions certain business people who will install signs without benefit of going through the review process and,

of course, without being granted a permit. In order to dissuade those businesses from doing that and, of course, it was the practice that once they were caught, then they would come in and make application and go through the process.

That they should, in fact, go through the process in the first instance, the Town Board is considering enacting a \$100 fine for individuals who would install signs without the benefit of a permit or review.

That is what is being proposed and I would ask if anyone wishes to address the Town Board on this matter. Steve."

Steve Haizlip: "Steve Haizlip of Calverton. As you were reading there, you said that this here is applying to business, business people."

Councilman Prusinowski: "Anybody with a sign."

Supervisor Janoski: "Well."

Steve Haizlip: "That's the way he addressed it, isn't it? New businesses and business people. All right. Now, the question is, people that take little small signs, about a foot and a half by a foot high, and then put a little stake on it and put it in the ground and say, corn for sale ahead, or a religious fellow that I know below me has a series of signs, go to church with Billy Graham, and so forth, what are we going to do with this fellow now? And the guy that has flowers for sale and so forth."

Supervisor Janoski: "Steve, quite frankly, technically those signs are not permitted. The Town, of course, does not take any action of enforcement against them. I can't give a reason, but basically because they're kind of a rural kind of sign."

Steve Haizlip: "It's a little minor, petty thing."

Supervisor Janoski: "Yes."

Steve Haizlip: "Yes, so you give the guy a little break. All right, I understand. Good enough."

Supervisor Janoski: "And there are, of course, instances where signs that are not permitted, period, are installed and there, of course, would be a fine for that."

Steve Haizlip: "I just got a request to come back and ask a question about the farmers. That's considered as a business, right?"

Supervisor Janoski: "Yes, and once again, the Town does not take any strident action because they are generally very short-lived signs. I have on occasion-- "

Steve Haizlip: "Temporary."

Supervisor Janoski: "-- approached some farmers when it becomes a question of public safety, if the installation of the sign causes a disruption of a line of sight or something like that."

Steve Haizlip: "Since I'm going to be the only one probably on this sign thing, I've only got about two minutes gone, when this thing all started back in the sixties with Ladybird Johnson, I think that she might have went a little too far. Now as far as the federal government is concerned, they have to take whatever income, in other words, people were advertising, big outdoor signs. So, if they gain extra income from that, it went to the federal government. And the state that they were in. But now, if the signs go down, there's less money so the federal government gets less taxes and does the state.

But now when you come down to a local issue, like a Town like this, I say it's beneficial that the waiver that we're talking about be granted because there, they've got no option. When the taxes come through the advertisement, they hope they can make it to help pay it to the Town. Thank you."

Supervisor Janoski: "And, on the other hand, we would not want the Town of Riverhead to look anything like some of the little communities to the west of us where there's nothing but signs. Is there anyone else who wishes to address the Town Board on the implementation of a \$100 fine for installation of a sign without a permit? There being no further speakers, and without objection of the Board, I declare the Hearing to be closed."

P U B L I C   H E A R I N G   C L O S E D :   7:19 p.m.

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Supervisor Janoski: "I would recognize anyone who wishes to be heard on any subject. Then we will take up the Resolutions. Oh, okay."

Sandy Sanjek: "Sandy Sanjek, Calverton. I just have three basic questions. The first one is what is going to be done with the franchise on cable television?"

Supervisor Janoski: "Franchise on Cablevision has one year to run. The discussions that I have had on the matter is that it is not an exclusive franchise."

Sandy Sanjek: "Right."

Supervisor Janoski: "So that one suggestion, I will call it, as that perhaps the Town Board may want to advertise. That there is an availability of the franchise in the Town of Riverhead to create competition. The Town Board has allowed the engagement of Richard Shlers, attorney, to work with us on the matter of Cablevision inasmuch as he was the Town Attorney at the time that the franchise which exists now, was negotiated. As a matter of fact, he went to a meeting with Cablevision last night in which their view of the federal regulation was presented. I think there will be some disagreement between the Town and Cablevision on several issues, most importantly the senior citizen exemption. Their interpretation of the federal regulation is they must charge everyone the same. Well, we have a franchise agreement in which they are required to offer a senior citizen exemption to those that qualify. So that is a point of disagreement. And there are several others."

Of course, you know, that tonight at 12:00, the New York City channels have to make their decision as to whether they are going to continue to broadcast over Cablevision. I am informed that there has been extensions by some channels, and agreement by some channels, but that channel 4 and channel 11 are still not agreeing to be broadcast."

Sandy Sanjek: "Well, since it is not a monopoly, Cablevision right now is not a monopoly, could you not now advertise and get other cable companies to come in here?"

Supervisor Janoski: "Yes, we could."

Sandy Sanjek: "They may be even cheaper than Cablevision is?"

Supervisor Janoski: "The-- and Vic raises a good point-- the technology and the-- is improving, and the New York Telephone is it appears to be about to go into the broadcasting business."

Sandy Sanjek: "Well, it's basically a cheaper way to go than even New York Telephone, but that's another question."

The other and last question I have is basically how many channels is Cablevision supposed to have as their basic number of channels according to the franchise agreement?"

Supervisor Janoski: "I believe that the federal regulations had some impact on that, because they have changed their basic package. I don't know what the specific number is, but it is local-- "

Sandy Sanjek: "Well, according to your franchise agreement, it's 25 channels. That's the basic Cablevision or cable channel in Riverhead."

Supervisor Janoski: "The other area of disagreement is, in fact, that Cablevision has changed some of the channels that they carry and that they have taken some other actions. But, as I say, we-- there has been one meeting with them. I know that other Towns are preparing to take even stronger action than we have considered at the present time."

Councilman Prusinowski: "For example, the Home Shopping Network which is channel 67, WSNL-TV in Hauppauge, is now classified as a must carry channel because it originates in local programming and that rule, we believe, I'm speaking to Dick Ehlers today, has been abused by the cable industry. That is commercial programming, very little public access, but what the impact of that is, is that they will kick off channel 8, channel 30, some of the channels that we used to have which was part of the original 25 channel basic service that we set up years ago. Probably it's going to either end up in Court around the country, not just Riverhead or I believe Congress is now considering amending the law that they passed last year."

Sandy Sanjek: "I know. They didn't know what they were passing, really. That's-- "

Councilman Prusinowski: "Yeah, well, what happened was they

forgot that the Home Shopping Networks actually bought some of these UHF stations that went out of business and they're broadcasting-- they have a license given by the FCC and really that's one of our-- it's like channel 55, but WSNL, channel 67, the Home Shopping Network in this area."

Sandy Sanjek: "Right. And, of course, the last question, maybe, if this is simple, I'd like a definition if anybody-- I wish the attorney was here, the Town Attorney. What is definition of theft of service and theft of money? Because that's what's been happening with, I think, if according to definition, that may be what's been happening with Cablevision here for the last few years. Because if they say and a new law was not in effect, if they say 25 channels are here, this is the cost of 25 channels, are you supposed to-- that's my basic, is 25 channels, they are not delivering 25 channels at one point. They also did not charge the right amount of money according, again, to the franchise to certain people, certain group of people and it could have been to many more. It didn't even have to be seniors in some cases according to the way the original franchise had been written. So it wasn't only seniors, it was other people in Riverhead that (inaudible) money was being charged to. So I don't know what theft of service is, the definition of that, or theft of funds. But I think if according to certain definitions, maybe Cablevision is guilty of both of them. So at this point, I don't know, that's why I'm wondering what other steps are being taken, maybe (inaudible)."

Supervisor Janoski: "The step that is taken is, I think, a beginning step, in that there is an attorney who is going through the federal law, going through the franchise, and squaring that with what is agreed to in the franchise and what is being offered."

Sandy Sanjek: "Of course, Easthampton I believe is suing Cablevision."

Supervisor Janoski: "Easthampton is suing Cablevision. Their intent is to end the franchise."

Sandy Sanjek: "Well, basically, you really don't have a franchise because Cablevision has never lived up to what they said they would in certain ways. So the franchise has been broken, it's been broken for a few years already."

Councilman Prusinowski: "In watching CNBC about three days ago, Phil Donohue and Posner, they had a whole thing about this and the reason why I mentioned the phone company, because of the reaction of the cable industry around the country, not just our own cable system here, that is why now the Congress and the FCC is becoming very favorable towards allowing AT&T and the regional telephone companies to get into this business. Also, as you said, there were other alternatives. The other hot thing that's going around the country now which is starting in Manhattan is, of course, the satellite transmissions where you can pick the program up right through the GPS satellites and that's probably going to be their biggest competition."

Councilman Stark: "That's a little disk I think you put in a window."

Councilman Prusinowski: "Yeah, all you need is-- "

Sandy Sanjek: "It's only-- actually it's 12 by 24. So it's not a really basic little disk. It's 12 by 24 is the best one that they have out, the best-- "

Councilman Stark: "Twelve inches by 24 inches?"

Sandy Sanjek: "Twelve inches by 24, that's it. So that, if you're up on that so far, but I don't know how you are going to do things. I wish you would do some advertising maybe and get a good other company to come in here. Because this cable company, of course, is starting to do things that again, they've said to people that the line from the box to their home is now the people's line and they should have to repair it. And that's-- I don't understand that either."

Supervisor Janoski: "The other side of the coin and I, believe me, Cablevision is a business and they're in the business of making a profit on providing clear picture. And I do want to say one thing, that there was a period of time that I would get innumerable calls every day about the quality of the transmission, the picture, the breakdowns, etc. That does not occur with any frequency at all anymore. So I think that what we have to do is be very careful that we look at what the cost is and what is provided, but also to make sure that the quality which is being provided now is also maintained. Because it was terrible. The cost was certainly lower but because it was lower, there was no reinvestment in the plant and the method

of transmission, so that it's a very careful thing that we have to do."

Sandy Sanjek: "Well, the only reason I'm involved-- I was interested in it is in certain other areas I got involved in some of the cable TV and one of the things that you did find, that sure these other companies didn't invest in certain companies that had put the cable in properly to begin with, didn't have to invest that much money to upgrade their systems. And that's why when they did the system in here, they never put the, what do you call it, tubes, I forget what you call them."

Councilman Prusinowski: "Fiber optics?"

Sandy Sanjek: "Excuse me?"

Councilman Prusinowski: "Fiber optics?"

Sandy Sanjek: "Fiber-- no, no. The old-- they just laid cable and they didn't put any protection around it. So that now you're going to have a problem-- even Cablevision is going to have a big problem with it sooner or later, where the wires are going to go and deteriorate completely. So if they, too, say and if they try to sell their cable to anybody, it's not going to work that much longer the way it is. Thank you."

Councilwoman Gilliam: "Supervisor?"

Supervisor Janoski: "Yes?"

Councilwoman Gilliam: "I have a question just to follow up on a comment you made to Mr. Sanjek there. You mentioned Attorney Ehlers was looking at the agreement? Do we have a Resolution appointing him or-- "

Supervisor Janoski: "You know, we should do a Resolution. You're right. You're right. It was something that I asked the Town Board and we should do that formally. You're right."

Councilwoman Gilliam: "Thank you."

Supervisor Janoski: "Okay. Steve."

Steve Haizlip: "I'll yield to Bill and then I'll talk. Mr."

Kasperovich."

Supervisor Janoski: "Mr. Kasperovich."

Steve Haizlip: "I'll yield and I'll-- "

William Kasperovich: "A couple of items here, if you please, members of the Board. First for the umpity time and I hope it doesn't continue on for the rest of my life, I have in a distance of some 800 or 1,000 feet to get to my house, I have 14 potholes that are big enough to knock my wheels out of alignment, and I would like some better attention. And since you are taking money out of the taxes being paid to maintain public right of ways, and you are not doing it, that means you're taking tax money and not using it for the purpose that it is being taken. This is definitely illegal. I gave Mr. Bloss, the current Highway Superintendent, two years to show me where in law is it written that he cannot come on these public right of ways. He has not been able to show this and consequently I feel it's just a figment of his imagination.

Repaving and surfacing or oil and sanding are not the same thing. And the lack of oiling of the surfaces on my street as well as many other streets that are being taxed for highway work that is not being done, I feel the Town Board must act. Because you leave the citizen no alternative than to call you to task for it in Court. You cannot tax and not do what you're taxing for. All right.

Let me now go to two Resolutions that are being voted on this evening. Both of them are authorization to publish and post for Public Hearing and I bring it to the forefront now because it seems that when we have a Public Hearing, the following meeting, the item is just resolved and passed. And I don't know, or have no way to know, that sufficient consideration has been given to it for modification or for reconsideration from what was learned by the presentation of the different citizens at the Public Hearings.

Resolution 661 which is to consider the demolition of a building, unsafe building and collapsed structures. I for many years have favored and expounded on posting buildings that are in violation. Posting citations, posting dangers, whatever. This has not been done for many years. When the different departments within the Town Hall act on a particular condition or subject, the citations and the

violations are not publicly posted. True, a person can file Freedom of Information Act form and uncover it. But if they are not aware and it is not brought to the public attention, such request cannot be made. Also, that when people working in the Town Hall do a lot of work and a lot of research and coverage on said subject, this is not revealed at the Public Hearing. I have several months ago sat with the Town Attorney and discussed the various aspects of posting citations and violations publicly, and with the request that it be conveyed to the Town Board. I have heard nothing develop from this.

And here we have a building in the neighborhood that I live and I have no public knowledge of what activity has been done prior to the point of declaring it unsafe. I feel this is concealed. When a police officer makes an arrest, the arrest shows up in the daily newspaper or our weekly newspaper. But when a violation is issued and it is ignored beyond the reasonable allowed period, there is no public revelation of this. This is not revealed to the public. And I say this is wrong and improper and not to the good of the township. I think the Town Board should show publicly the citations and the violations that are issued prior to this. Where it is possible on the subject being resolved or cited, and in the Town Hall. Granted particular legal procedures must be followed so that it cannot back up on you and bite you in the tail end. But how can the people know if the Town Board does not arrange the procedure to publicly post it.

And I use this as an example because this is a local neighborhood, it's a local problem, it's not a big public problem. It's residential and it's local and the-- I'm sure it just didn't crop up last week. But if citations and violations were issued, they should have been publicly posted.

Next item that I wish to make comment on is Resolution 662, wherein you raise the penalty fee from \$250 to \$1,000. In your Town Code Section 303-5, dumping is a very broad-- is used in a very broad sense. It has been used from a nonsensical smallness to a 20 ton trailer truck dumping. Who defines what is being dumped? This has not been clarified in my eyes satisfactorily in this Section 103. Making a penalty high enough such as to make it more expensive to pay the fee than to dump whatever somebody wants to dump has a deterring affect. But it is not the solution to prevent dumping. And I contend that same as with the signs, deterrent by fine in a small township is not the solution. Thank you."

Supervisor Janoski: "Thank you, Bill. I would simply note that what we are doing here tonight is calling Public Hearings in which people would be given the opportunity to express their opinions as to what's being proposed. And I'm sure that you will take advantage of it at that time. Steve."

William Kasperovich: "My-- I beg your pardon, sir."

Supervisor Janoski: "We are calling a Public Hearing."

William Kasperovich: "I can read."

Supervisor Janoski: "That Hearing is two weeks from now."

William Kasperovich: "I can read. And I know what it says. And I'm offended by your comment in that direction."

Supervisor Janoski: "I simply think that you forgot."

William Kasperovich: "I explained why I was saying this before the Public Hearing."

Supervisor Janoski: "Okay, thank you."

William Kasperovich: "And you apparently weren't listening. As usual."

Supervisor Janoski: "Thank you, Bill. Steve."

Steve Haizlip: "Steve Haizlip of Calverton. I want to go back to the Meeting of the 21st of September when we had that Local Law on the agenda, 19, from Southold, and I have asked why one went to the County and why was one in here. Why would they have to be in on the act? So the Town Clerk mentioned I have it in the office. Well after the Meeting, I went my way and she went on her way and so by Tuesday, I think it was, or Wednesday, I had the letter in the mail about these two Public Hearings, I mean the Local Law 19 related to the Public Hearing. But then somehow a piece of paper slipped in there and I didn't know it at the time and I was very confused so I called the Town Clerk's Office, Mrs. Grattan was more than glad to see me, and I want to commend her for following up and getting back to me and usually Mr. Wilmott sometimes says, you got politicians

that won't respond. I'm not going to-- I can't say that about her. She responded and took care of me and explained it fully. So I definitely appreciate that.

Now, the gentleman that was up here talking about Cablevision. I don't know how long ago it was when these two guys, those Cablevision guys were in here trying to get in that franchise. And they was talking about it. And I came up here at the time and I said, you wanted a franchise in this town to operate, to sell your services. I said, but why is it that you want the franchise but you'll select, pick, who you want to serve? I don't think I ever got a response to that and I don't think there was ever a Resolution made to it. But here's the thing, the reason I'm bringing it up. On the street that I live on, you know there's only maybe half a dozen houses. I'm not really counting them, but now those people, they won't come and serve these people. Mr. Tuttle next store tells me he's begging for it. But they want 35 people or something. And I say this is wrong. The Lighting Company, they serve one at a time, anybody that built on that street. The telephone, they come and they put service to them whatever was built on that street on there. If that was the case, Mr. Schulman (phonetic) wouldn't have a phone today and he wouldn't have lights. So why do they have to selective service people on a street that has less houses or out of the way? I can't see that and I think you should consider that."

Supervisor Janoski: "Thank you, Steve. Is there anyone else wishing to address the Town Board? George."

George Schmelzer: "There's been some controversy, I don't know what stand the Town Board takes, but they seem to be afraid of it, about the problem on 58 being cured by the extension of the Expressway to 105. Last night I was at a Meeting, Mr. Kozloski (phonetic) was there, he's the head of State Transportation Department on Long Island there, he says there's people against it. Well, some people are against it; maybe some selective people. A lot of people are for it. I don't know who the Town Board is listening to, maybe they don't know which side to take. So I suggest it can't be done now, too late. At the next election next year, you'll ask the Board of Elections to put on the voting machine an unbinding Resolution of opinion for the citizens of Riverhead Town whether they want the Expressway extended or leave it as it is. It wouldn't be legally binding, but if the Town Board by Resolution requested that, it would

be done. So you'd get yourselves off the hook if you decided to abide and demand what the vote came to. If it was even, well, you'd be just like you are now. But if it came, say, a good percentage for it or against it, that would be it. So I thought maybe you might consider that next year. Too late for now. I called up the Board of Elections this morning. They said it's too late. I can realize that and speaking of building Resolutions, building codes and buildings in violation, how about the Town Hall here? Any public building which is this should have a separate exit from the basement to the outside. This Town Hall doesn't. It's in violation and you know it and everybody knows it's been that way for years. So another occasion, do as we say, but don't do as we do. Is that right? Does it have an exit from the cellar to the outside? Does it?"

Supervisor Janoski: "There are a number of flights of stairs."

George Schmelzer: "No, directly to the outside that you require any other public building to do, to have. The old Town Hall that was rented, you made them put a exit from the cellar directly to the sidewalk. That was a requirement. Every public building is required to do that. But the Town Hall doesn't. Why? Yeah, I'm not trying to pick on you but if you pick on other buildings, I feel you should get picked on, too."

And, I'll finish what I started a few weeks ago. Gee, Joe, you're not much a hypocrite as the rest of them are. Find out what acreage they have-- now, Frank has about three-eighths of an acre, you have five-eighths of an acre, and Vic has just about a half an acre, and Jim has two-fifths of an acre. Rough figures. Now, Harriet, I don't know if she lives in town or not, she doesn't own land anywhere. Where do you live, in your law office?"

Councilwoman Gilliam: "No, I live in town."

George Schmelzer: "Where do you live?"

Councilwoman Gilliam: "I live in town?"

George Schmelzer: "Where?"

Councilwoman Gilliam: "In Riverhead."

George Schmelzer: "I don't see any record of anything. No phone number, no land, no nothing."

Councilwoman Gilliam: "No what?"

George Schmelzer: "No land that you have in town, or in any other town. It used to be a requirement, it isn't now, that anybody that run for public office had to own a piece of land. That was a good requirement, I think. But I don't know how they got away with that, so I can't put her in any category, she doesn't own anything."

Supervisor Janoski: "Thank you, George."

George Schmelzer: "Okay. That's all."

Dick Benedict: "Dick Benedict, Fanning Blvd. I'm sure you can clarify this in a hurry. The Kelly Agency, are we still paying an unlicensed insurance agent, or is he licensed or are we-- because in real estate, if you collect money and you don't have a license, it's against the law. And I just want to know if we're still using any money to pay Mr. Kelly or if we're not, or if he is licensed or not."

Supervisor Janoski: "I do know that he went through the process of being licensed sometime ago, and that he is licensed at this time."

Dick Benedict: "So we are still paying?"

Supervisor Janoski: "The (inaudible) Kelly Agency is licensed."

Dick Benedict: "The Agency is licensed?"

Supervisor Janoski: "The Agency is licensed and Mr. Kelly, himself, is. And also let me point out that the Town of Riverhead has had an advisor on payment since 1980. Steve, you coming back again?"

Steve Haizlip: "Just one second. I want to amend that statement about the Cablevision. Steve Haizlip, of Calverton. Shall I ask? Yes. And I will ask, is Cablevision, what agency are they under? Public Service or Federal Communications?"

Supervisor Janoski: "There is a Cablevision Commission in the State of New York."

Steve Haizlip: "Cablevision Commission?"

Supervisor Janoski: "Yes."

Steve Haizlip: "I would request that you inquire about my concern that you got to have 35 houses on a street to get their service. Thank you very much."

Supervisor Janoski: "Thank you, Steve. Let's take up the resolutions."

Resolution #650

Councilman Prusinowski: "Authorizes the Town Clerk to publish and post a Public Notice to consider the adoption of the 1994 annual budget for the Town of Riverhead. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #651

Councilman Stark: "Order authorizing the increase and improvement to the Riverhead Water District, construction of new public water supply well No. 7-3. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #652

Councilman Creighton: "This ratifies the publication for solicitation of bids for light fixtures. So moved."

Councilwoman Gilliam: "And seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #653

Councilwoman Gilliam: "The Resolution corrects Resolution #603 appointing provisional account clerk typist in light of the fact that the employee has more than 12 months of service with the Town. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #654

Councilman Prusinowski: "Authorizes the business improvement district to retain F.J. Garton, Inc. for a real estate appraisal of the Suffolk Theatre, East Main Street, Riverhead, New York. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam?

Councilwoman Gilliam: "I have a question on the Resolution. The Accounting Department has informed me that the bid is going to pay for the cost of the services, but the Resolution doesn't specifically indicate that. Is that the understanding?"

Supervisor Janoski: "The understanding is that they're going to pay for it."

Councilwoman Gilliam: "All right."

Councilman Prusinowski: "We're the governing body. I think we're the only ones that can authorize this."

Councilwoman Gilliam: "As long as we're clear that they're paying for it."

Barbara Grattan: "Is that a yes?"

Councilwoman Gilliam: "Yes."

The Vote (Cont'd.): Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #655

Councilman Stark: "Authorizes the business improvement district to retain the Maguire Group for a Phase I Environmental Audit of the Suffolk Theatre, East Main Street. Same understanding as to who is paying for it. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #656

Councilman Creighton: "Approves the application of Warner Nursery for an Arts & Crafts Festival on October 7th. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #657

Councilwoman Gilliam: "Appoints 90 day temp to the Assessor's

office. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #658

Councilman Prusinowski: "Authorizes the Town Board's referral to the Planning Board for bed and breakfast use. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #659

Councilman Stark: "Approves site plan of REJ Corporation which is the Riverhead Building Supply site plan on Mill Road. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #660

Councilman Creighton: "There's an error in the Warner Nursery thing. We've got October 7th down here, Sunday October 7th. That's obviously an error and I want to correct it. Does anybody know what the actual date is?"

Barbara Grattan: "Someone is going to go check. So we leave that?"

Councilman Creighton: "Yes, we'll have to come back to it."

Resolution #660

Councilman Creighton: "This authorizes the ratification of Resolution 574, as it was amended. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #661

Councilwoman Gilliam: "Authorizes the Town Clerk to publish and post Public Notice to consider the demolition of building owned by Frank and Peggi Battaglia pursuant to Chapter 54 of the Code of the Town of Riverhead entitled Unsafe Buildings and Collapsed Structures. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #662

Councilman Prusinowski: "Authorize the Town Clerk to publish and post Public Notice to amend existing Riverhead Town Code Section 103-5F - Dumping Prohibited. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #663

Councilman Stark: "Authorizes the Town Clerk to publish and post Public Notice to consider the amendment of Section 103-43(C) of the Solid Waste Management Law of the Town of Riverhead. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #664

Councilman Creighton: "This authorizes the Town Clerk to re-publish and post a Notice to consider the amendment to Section 101-19 of the Vehicles and Traffic Law of the Town Code. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #665

Councilwoman Gilliam: "Authorizes Town Clerk to publish and post Public Notice to consider an amendment to Chapter 95, Exemptions, by adding a new Article 6, Granting an Exemption of Residential Capital Improvements from Taxation. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #666

Councilman Prusinowski: "Authorize the Supervisor to enter into

an agreement with Don Patanjo Cesspool Service Corp. to haul liquid sludge. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #667

Councilman Stark: "If the Board wishes, I'll take 667 and 674, which is appointing our winter recreational aides. If no objection, I'll move all from 667 to 674. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolutions are adopted.

Resolution #675

Councilman Stark: "Authorize the Town Attorney to institute an action. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #676

Councilman Creighton: "This authorizes the attendance of two police officers at a training conference on crime prevention. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Barbara Grattan: "Councilman Prusinowski, Number 678."

Councilman Prusinowski: "678, budget adjustment for the general Town. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam?

Councilwoman Gilliam: "I vote yes because of the number of items that are lumped together in this Resolution but there is a transfer regarding the house survey numbers and expenditure from that and I hope that this project will be completed soon and that other programs can be implemented after that's in place. I vote yes."

The Vote (Cont'd.): Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #679

Councilman Stark: "Budget transfer from contingency to Engineering. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #680

Councilman Creighton: "680 is a budget adjustment in the Garbage District to pay for the transfer station and equipment. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Barbara Grattan: "Resolution to pay bills."

Councilman Prusinowski: "Before I make a motion to pay bills, I think I want to acknowledge the fine job that the Langhorne Committee-- Organization Committee chaired by Frank Creighton and co-chaired by Harriet Gilliam, this past weekend. It was a wonderful job and I think I speak for the other Board members in thanking you. The ceremony was wonderful.

And I make a motion to pay the bills."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Supervisor Janoski: "This was a yes to him, a yes to you, and a yes to Frank."

Councilman Creighton: "Let's make sure we amend that Warner thing."

Councilman Prusinowski: "It's the 17th."

Councilman Stark: "It's the 17th."

Councilman Prusinowski: "I saw the thing in the-- so, we'll just have to amend the minutes to reflect the 17th."

Supervisor Janoski: "The Resolution is supposed to be the 17th. Before we all disappear, I have a Resolution to authorize the Supervisor to engage an attorney, Richard Ehlers, on the matter of

Cablevision Franchise Agreement."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam?

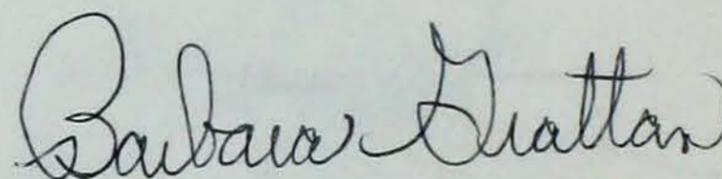
Councilwoman Gilliam: "I have a question effective as of when? Because it appears he's already started doing work on this."

Supervisor Janoski: "Yes, as of yesterday."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Supervisor Janoski: "Without objection, this Meeting is adourned."

(Meeting adjourned: 8:05 P.M.)



TOWN CLERK